

OPINION 2006 (Case 3171)***Cryphops* Richter & Richter, 1926 (Trilobita): conserved**

Keywords. Nomenclature; taxonomy; Trilobita; phacopoid trilobites; PHACOPIDAE; *Cryphops*; Devonian.

Ruling

- (1) Under the plenary power the generic name *Gortania* Cossmann, 1909 is hereby suppressed for the purposes of the Principle of Priority but not for those of the Principle of Homonymy.
- (2) The name *Cryphops* Richter & Richter, 1926 (gender: masculine), type species by original designation *Phacops cryptophthalmus* Emmrich, 1844 is hereby placed on the Official List of Generic Names in Zoology.
- (3) The name *cryptophthalmus* Emmrich, 1844, as published in the binomen *Phacops cryptophthalmus* (specific name of the type species of *Cryphops* Richter & Richter, 1926) is hereby placed on the Official List of Specific Names in Zoology.
- (4) The following names are hereby placed on the Official Index of Rejected and Invalid Generic Names in Zoology:
 - (a) *Gortania* Cossmann, 1909, as suppressed in (1) above;
 - (b) *Microphthalmus* Gortani, 1907 (a junior homonym of *Microphthalmus* Mecznirow, 1865).

History of Case 3171

An application for the conservation of the name *Cryphops* was received from Dr D.J. Holloway (*Museum Victoria, Melbourne, Victoria, Australia*) and Dr K.S.W. Campbell (*Australian National University, Canberra, Australia*) on 29 August 2000. After correspondence the case was published in BZN 58: 97–99 (June 2001). The title, abstract and keywords of the case were published on the Commission's website. Additionally, as an experiment in the use of specialist websites for handling applications to the Commission, the application was placed on a specialist trilobite website (<http://www.aloha.net/~smgon/ICZN3171.htm>) by courtesy of the webmaster, Dr Sam Gon III of the Nature Conservancy of Hawaii, Honolulu, Hawaii. Comments were invited to be placed on the website instead of the usual practice of publication in the *Bulletin*. Five comments were received, three via the Secretariat and two direct to the website. A note that comments on the case had been placed on the website was published in BZN 58: 304 (December 2001), and further comments were invited.

Comments on Case 3171 placed on the trilobite website

A summary of the comments is presented here because of the ephemeral nature of the website on which these were originally published.

Four comments placed on the website were in favour of the application and confirmed that the senior name *Gortania* Cossmann, 1909 had not been used as a valid name since its publication. H.B. Whittington (*University of Cambridge, Cambridge, U.K.*) added that 'to treat *Cryphops* Richter & Richter, 1926 as junior to the unused name *Gortania* Cossmann, 1909 would cause considerable confusion and serve no useful purpose'. The other supportive comments were from R. Thomas Becker (*Museum für Naturkunde, 10115 Berlin, Germany*), Adrian Rushton (*The Natural History Museum, London, U.K.*) and S.M. Gon III (*Honolulu, Hawaii, U.S.A.*). An opposing comment was received from P. Bouchet (*Muséum National d'Histoire Naturelle, Paris, France*) who, although accepting that the list of references 'is not exhaustive', pointed out that the application gave only 11 references to works published in the last 50 years that have used the name *Cryphops*, which was far less than the 25 references requested by Article 23.9. He also pointed out that *Gortania* Cossmann, 1909 is a senior homonym of *Gortania* Rabbi, 1960 (*Giornale di Geologia* [Bologna], ser. 2, **28**: 190).

Decision of the Commission

On 1 March 2002 the members of the Commission were invited to vote on the proposals published in BZN **58**: 98. At the close of the voting period on 1 June 2002 the votes were as follows:

Affirmative votes – 20: Bock, Böhme, Brothers, Calder, Cogger, Eschmeyer, Evenhuis, Fortey, Halliday, Kraus, Macpherson, Mahnert, Martins de Souza, Mawatari, Ng, Nielsen, Papp, Patterson, Rosenberg, Song

Negative votes – 7: Alonso-Zarazaga, Bouchet, Kerzhner, Lamas, Minelli, Štys, van Tol.

No vote was received from Dupuis.

Brothers commented: 'Although the strict application of numbers of references, as pointed out by Bouchet in his comments, would seem not to justify the suppression of *Gortania* Cossmann, 1909, such numbers must surely be tempered by considerations of intensity of publication activity in the field concerned. Although no information has been provided about *Gortania* Rabbi, 1960, suppression of *Gortania* Cossmann, 1909 should apparently also clarify the status of that name'. The status of *Gortania* Rabbi is not affected by this ruling, since *Gortania* Cossmann is not suppressed for the purposes of the Principle of Homonymy.

Patterson commented: 'This case raises issues about the use of the web. I applaud the use of the web, and urge that we promote it. I am concerned that we may not receive with fidelity all views posted and believe that the opinions should be taken into account only if the webmaster accepts an obligation to return to the Secretariat all views expressed, leaving it to the Secretariat to edit those. I am concerned that some of those commenting on the web may have no access to the Code or to its interpretation'.

Voting against, Alonso-Zarazaga, Lamas, Štys and van Tol submitted comments in agreement with those of Bouchet. However, Bouchet's comment on the number of references required refers to Article 23.9.1 of the Code, whereas this application was referred to the Commission for a ruling under the plenary power (Article 23.9.3), and there was no requirement for 25 references to be presented to the Commission in support of this application.

Original references

The following are the original references to the names placed on Official Lists and an Official Index by the ruling given in the present Opinion:

Cryhops Richter & Richter, 1926, *Abhandlungen der Preussischen geologischen Landesanstalt*, **99**: 157.

cryptophthalmus, *Phacops*, Emmrich, 1844, *Zur Naturgeschichte der Trilobiten*, p. 15.

Gortania Cossmann, 1909, *Revue critique de paléozoologie*, **13**: 67.

Microphthalmus Gortani, 1907, *Memorie della Reale Accademia delle Scienze dell'Istituto di Bologna*, (6)**4**: 229.